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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT ALLEN, et al.,

Plaintiffs,

v.

REPUBLIC SILVER STATE
DISPOSAL, INC., et al.,

Defendants.

2:10-CV-827 JCM (LRL)

ORDER

Presently before the court is plaintiff Theron Jones' *pro se* motion to reopen case. (Doc. #37). Defendant Republic Silver State Disposal, Inc. filed an opposition asking the court to issue an order for Jones to clarify the intent of his motion. (Doc. #43). Jones subsequently filed a motion for leave to proceed in *forma pauperis*. (Doc. #59). Magistrate Judge Leavitt granted this motion on September 9, 2011. (Doc. #59).

Jones' counsel withdrew on January 5, 2011. (Doc. #26). Magistrate Judge Leavitt ordered Jones to retain new counsel or file a status report indicating why he did not retain counsel by February 18, 2011. (Doc. #26). Jones did not respond to this order. On March 15, 2011, Magistrate Judge Leavitt ordered Jones to file a written response to show cause for his failure to file a status report. (Doc. #35).

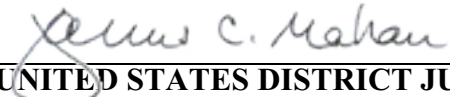
Jones did not file a written response to Magistrate Judge Leavitt's order, but he did subsequently file a motion to reopen his case. (Doc. #37). This motion is quite unclear because Jones' case has never been closed. However, Jones clarified his intentions with his September 7,

1 2011, motion to proceed in *forma pauperis*. Therefore, the instant motion (doc. #37) is now moot.

2 Accordingly,

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Theron Jones'
4 motion to reopen case (doc. #37) be, and hereby is, DENIED as moot.

5 DATED September 15, 2011.

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8 **UNITED STATES DISTRICT JUDGE**